Remarks

The above Amendments and these Remarks are in reply to the Office Action mailed August 2, 2004. No fee is due for the addition of any new claims. A Petition for Extension of Time to Respond is submitted herewith, together with the appropriate fee.

Claims 1-3, 5-10, and 41-55 were pending in the Application prior to the outstanding Office Action. In the Office Action, the Examiner rejected claims 1-3, 5-10, and 41-55. The present Response amends claims 1, 2, 3, 7, 41-43, 49 and 52, leaving for the Examiner's present consideration claims 1-3, 5-10 and 41-55. Reconsideration of the rejections is requested.

I. REJECTION UNDER 35 U.S.C. §102(E) OVER *SEARS* (U.S. PAT. NO. 6,115,482)

Claims 41-42, 45, and 49-55

The Examiner rejected claims 41, 42, 45 and 49-55 under 35 U.S.C. §102(e) over *Sears*. Applicants respectfully traverses this rejection.

In rejecting claim 41, the Examiner states that "the system uses camera 39 or a pair of cameras 87 and 89 to capture images of a user's hand" and that "the system may scan the printed material for symbols such as a bar code ('information')." See OA, page 3. However, *Sears* fails to describe "using an interface including a representation of a scene and information embedded within the representation such that the information is recognized as a portion of the scene" as recited in claim 41

Sears describes capturing an image of a document using a camera 39 and processing text from the imaged by the camera using optical character recognition (OCR). The information (i.e., text) is encoded within the document prior to imaging by the camera, and the object that is imaged is the document. See col. 5, lines 35-67. In contrast, claim 41 recites "reading the information from the ***representation***" of a scene, "determining a location ***within the scene*** with said information," and "directing a view of at least one of said

one or more cameras ***toward said location within the scene***" (emphasis added). It is not the representation that is imaged by the plurality of cameras. Rather, the location is within the scene, *not the representation*; therefore, at least one of the one or more cameras is directed at the scene, of which the location is a portion, and not the representation, contrary to the teachings of *Sears*.

Further, *Sears* describes scanning "non-text symbology such as a bar code or location encoded data such as the page number, which is located in *generally predictable locations* on a page" (emphasis added). See col. 17, lines 6-7. *Sears* discloses scanning conspicuous features that include information. *Sears* fails to disclose scanning "information embedded within the representation such that the information is recognized as a portion of the scene" as recited in claim 41.

In rejection claim 52, the Examiner states that a "pointer tracker 57 detects the gesture and magnifies the user's selection for on monitor 31 (column 6, lines 9-11; column 10, lines 47-49)." See OA, page 4. However, *Sears* fails to describe "generating a virtual view directed toward said location from said scene *as captured by the plurality of cameras*" (emphasis added) as recited in claim 52.

Referring to Figures 1a and 1b, *Sears* discloses capturing a document using a single camera to image the document, portions of which are magnified to be viewed by the user. Nowhere does *Sears* describe imaging a scene captured by a plurality of cameras. In fact, it is not clear how or if the step of applying optical character recognition analysis to the imaged document of *Sears* could be successful where a plurality of cameras is used to image the scene because of the manipulation required to produce a single image from two overlapping images. The teachings of *Sears* are therefore not applicable where multiple cameras are used to capture a single image. In describing Figure 3, *Sears* discloses capturing a document using one camera, while capturing a portion of the document (as indicated by the user) using a second camera. The second camera **moves** to capture the text indicated by the user. The second camera does not contribute to imaging the entire document (i.e., the scene).

Applicants submit that *Sears* fails to disclose all of the features of claims 41 and 52. Because *Sears* fails to disclose all of the features of claims 41 and 52, *Sears* cannot anticipate claims 41 and 52 under 35 U.S.C. §102(e). Dependent claims include the features of the claims from which they depend. Claims 42, 45, and 49-51 ultimately depend from independent claim 41, and claims 53-55 ultimately depend from claim 52. Claims 42, 45, 49-51 and 53-55 are therefore patentable for at least the reasons given for the patentability of claims 41 and 52. Accordingly, Applicants respectfully requests the withdrawal of this rejection.

II. REJECTION UNDER 35 U.S.C. §103(A)OVER *LASSITER* (U.S. PAT. NO. 6,624,846)

Claims 1-3 and 5-10

The Examiner rejected claims 1-3 and 5-10 under 35 U.S.C. §103(a) over *Lassiter*. Applicants respectfully traverse this rejection.

The Examiner states in the ***Response to Arguments*** that "Lassiter does teach indicating a location using a cue within the scene. As stated in column 21, lines 58-63, the device may include a motion-tracking feature, wherein a cue - i.e., the motion of an object - causes the camera to aim itself at the object's new position." See OA, page 2. However, as argued below, *Lassiter* fails to teach or suggest "indicating a location using a cue *within said scene*," (Emphasis added) as recited in claim 1.

Referring to col. 21, lines 55-col. 22, line 2, *Lassiter* teaches that "A visual user interface according to the invention can also be integrated with a video device that can be automatically controlled without user intervention (e.g., a video camera such as the Sony EVI-D30 video camera). An appropriate user interface can be used to enable a user to, if desired, specify that the video device operate in accordance with a predetermined method for automatically controlling the video device (e.g., motion-tracking or color-tracking methods)..." (Emphasis added). *Lassiter* teaches controlling ***the video device*** (i.e., the visual user interface with which the video device is integrated) using motion-tracking or color-tracking methods, and does not teach

"indicating a location using a cue ***within said scene***," (Emphasis added) as recited in claim 1. As taught by *Lassiter*, the video device (i.e., the representation) moves to track the object as the object moves out of the view of the video device in its static position. The video device is what is controlled by the motion-tracking, and is commanded to move when the object leaves or begins to leave the scene. However, as recited in claim 1, the cue exists within a scene, which is captured as a representation by a plurality of cameras. It is the location to which the view is directed that is indicated by the cue, and not the scene captured by the plurality of cameras. The plurality of cameras need not move to direct a view of the plurality of cameras toward the location, as the location is within the scene captured in the representation.

Applicants submit that *Lassiter* fails to teach or suggest "indicating a location using a cue within said scene," as recited in claim 1. Because *Lassiter* fails to teach or suggest all of the features of claim 1, *Lassiter* cannot render claim 1 obvious under 35 U.S.C. §103(a). Dependent claims 2, 3, and 5-10 ultimately depend from independent claim 1 and are therefore patentable for at least the reasons given for the patentability of claim 1. Accordingly, Applicants respectfully requests the withdrawal of this rejection.

III. REJECTION UNDER 35 U.S.C. §103(A) OVER *SEARS*

Claims 43-44 and 46-48

The Examiner rejected claims 43, 44, and 46-48 under 35 U.S.C. §103(a) over *Sears*. Applicants respectfully traverse this rejection.

For the reasons given above in Section I, *Sears* fails to teach or suggest all of the features of claims 41. Because *Sears* fails to teach or suggest all of the features of claims 41, *Sears* cannot render claims 41 obvious under 35 U.S.C. §103(a). Dependent claims include the features of the claims from which they depend. Claims 43, 44, and 46-48 ultimately depend from independent claim 41. Claims 43, 44, and 46-48

are therefore patentable for at least the reasons given for the patentability of claim 41. Accordingly, Applicants respectfully requests the withdrawal of this rejection.

IV. CONCLUSION

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. § 1.136 for extending the time to respond up to and including December 2, 2004.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: 12/2/04

By: _____
Michael L. Robbins
Reg. No. 54,774

Customer No. 23910
FLIESLER MEYER LLP
Four Embarcadero Center, Fourth Floor
San Francisco, California 94111-4156
Telephone: (415) 362-3800